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July 20, 2010

Sullivan, Mountjoy, Stainback  
& Miller, P.S.C.  
Attention: Tyson Kamuf  
100 St. Ann Street  
P.O. Box 727  
Owensboro, Kentucky 42302-0727

Re: Big Rivers Electric Corporation  
Petition for Confidential Protection received 4/30/10  
PSC Reference #: 2010-00043

Dear Mr. Kamuf:

The Public Service Commission has received the Petition for Confidential Protection you filed on April 30, 2010 on behalf of Big Rivers Electric Corporation, ("Big Rivers"), to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.878. The information you seek to have treated as confidential is identified as being contained in Big Rivers' attachment to its Responses to KIUC's 2<sup>nd</sup> Data Request Item No. 3 in its entirety. The information is more particularly described as containing historical and future budgets for off-system sales, and revenues and margins for those sales.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information would compromise Big Rivers' competitive position in the industry, which would result in an unfair commercial advantage to its competitors.

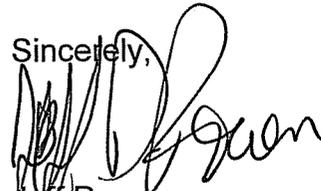
Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined that the information requested to be held confidential is of a proprietary nature, which if publicly disclosed would permit an unfair commercial advantage to Big Rivers' competitors. Therefore, the information requested to be treated as confidential **meets the criteria for confidential protection** and will be maintained as a nonpublic part of the Commission's file in this case. The procedure for

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usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Big Rivers Electric Corporation is required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

Sincerely,



Jeff Derouen  
Executive Director

kg/

cc: Parties of Record

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